

OPENING STATEMENT BY ASSATA SHAKUR (JOANNE CHESIMARD)

1/7/76

JUDGE THOMPSON, BROTHERS AND SISTERS, MEN AND WOMEN OF THE JURY:

I have decided to act as co-counsel, and to make this opening statement, not because I have any illusions about my legal abilities, but rather because there are things that I must say to you. I have spent many days and nights behind bars thinking about this trial, this outrage. And in my own mind only someone who has been so intimately a victim of this madness and I have, can do justice to what I have to say. And if you think that I am nervous, your senses do not deceive you. It is only because I know that this moment can never be lived again, and that so much depends on it. I have to read this statement to you because I am afraid that I will forget half of what I have to say. Please try to bear with me.

This will not be a conventional opening statement. First of all, because I am not a lawyer, and what has happened to me, and what has happened to Ronald Myers does not exist in a vacuum. There are a long series of events and attitudes that led up to us being here.

When we were sitting in this courtroom, during the jury selection process, I listened to Judge Thompson tell you about the amerikan system of justice. He talked about presumption of innocence; he talked about equality and justice. His words were like a beautiful dream in a beautiful world. But I have been awaiting trial for two and one half years. And justice, in my eyesight, has not been the amerikan dream: it has been the amerikan nightmare. There was a time when I wanted to believe that there was justice in this country. But reality crashed through and shattered all my daydreams. While awaiting trial I have earned a PhD in justice, or rather, the lack of it.

I sat next to a pregnant woman who was doing 90 days for taking a box of pampers, and watched on TV the pardoning of a president who had stolen millions of dollars, and who had been responsible for the deaths of thousands of human beings. For What? For peace with honor? Nixon was pardoned without ever being formally accused of a crime. He was pardoned without ever standing trial or being found guilty of a crime or spending one night in jail. Who else could commit some of the most horrendous, destructive crimes in history and get paid 200,000 tax dollars a year? Is there really such a thing as equality under the law? Ford stated that he pardoned Nixon because Nixon's family had suffered enough. Well, what about thousands of families whose sons gave their lives in Viet Nam? What about the families who have sons and daughters in prison? Who cannot even afford bail or lawyers for their children? And what about the millions of people who have been sentenced at birth to poverty, to live like animals and work like dogs? Where is justice for them?

What kind of justice is this?

Where the poor go to prison and the rich go free?

Where witnesses are rented, bought or bribed?

Where evidence is made or manufactured?

Where people are tried, not because of any criminal actions but because of their political beliefs?

Where was the justice for the men at Attica?

Where was the justice for Medgar Evers, Fred Hampton, Clifford Glover?

Where was justice for the Rosenbergs?

And where is the justice for the Native Americans who we so presumptuously call Indians?

I am not on trial here because I am a criminal, or because I have committed a crime. I have never been convicted of a crime in my life. Ronald Myers is not on trial because he is a criminal or because he was committed a crime. He was 19 years old when he turned himself in, after seeing his picture in the newspaper. He thought that the police would immediately see their mistake. I met Ronald Myers for the first time about 8 months ago in the lawyers' conference room. It was a stiff and strange meeting, something I hope I'll never have to go through again. I was shocked to see how young he was. And no matter what the outcome of this trial is, I will always feel a bitterness about what has happened to Ronald Myers and what has happened to me.

WHY WE ARE ON TRIAL

I do not think that it's just an accident that we are on trial here. This case is just another example of what has been going on in this country. Throughout America's history people have been imprisoned because of their political beliefs and charged with criminal acts in order to justify that imprisonment. Those who dared to speak out against the injustices in this country, both Black and white, have paid dearly for their courage, sometimes with their lives. Marcus Garvey, Stokely Carmichael, Angela Davis, the Rosenbergs, Lolita Lebron were all charged with crimes because of their political beliefs. Martin Luther King went to jail countless times for leading non-violent demonstrations. Why, are you probably asking yourselves, would this government want to put me or Ronald Myers in jail? In my mind the answer is very simple. For the same reason that this government has put everyone in jail who spoke up for freedom: who says give me liberty or give me death.

During the voir dire process, we asked you about the word "militant." There was a reason for that. In the late sixties and the early seventies this country was in upheaval. There was a strong people's movement against the wars, against racism, in the colleges, on the streets and in the Black and Puerto Rican communities. This government, local police agencies, the F.B.I., and the C.I.A. launched an all-out war against the people they considered militants. We are only finding out now, because of investigations into the F.B.I. and C.I.A. how extensive and how criminal their methods were and still are. In the same way that witches were burned in Salem, this government went on a witchhunt, for people they considered "militant." Countless numbers of people were either killed or imprisoned. The Berrigans, the Chicago 7, the Panther 21, Bobby Seale and thousands of anti-war demonstrators were all victims of this witch hunt justice. Maybe some of you are saying to yourselves, no government would do that. Well, you only have to check out for yourselves the history of this country and to look around and see what is going on today. All you have to do is ask yourselves who controls the government and who are the victims of that control?

THE BLACK LIBERATION ARMY

Since you have been in this courtroom you have heard the name Black Liberation Army mentioned over and over. Those of you in the jury have been questioned as to what you have read or seen on television and what your opinions were about the B.L.A. Most of you have stated that you thought that the Black Liberation Army was a militant organization. You have said that what you have read or heard has come from the establishmentarian media. The major TV and radio networks, the Times, the Post, and the Daily News. I have read the same articles you have read. I have seen the same news programs that you have seen. When it comes to the media, I have learned to believe none of what I hear and half of what I see. But I can tell you, if I were just Jane Doe citizen, if I did not know better, I would've read those articles and come to the conclusion that JoAnne Chesimard, Ronald Myers, and all other people called militants were a bunch of

white-hating, cop-hating, gun-toting, crazed, fanatical maniacs, fighting for some abstract, misguided cause.

But one percent of the people in this country control 70% of the wealth. And it is that One Percent, the heads of large corporations, who control the policies of the news media. And determines what you and I hear on the radio, read in the newspapers, see on television. It is more important for us to think about where the media gets its information. From the police department or from the prosecutor. No major newspaper or television station has ever asked my lawyers or myself one question: concerning anything. People are tried and convicted in the papers and on television before they ever see a courtroom. A person who is accused of stealing a car becomes an international car theft ring. A man is accused of participating in a drunken brawl and the headlines read "crazed maniac goes berserk."

During the 70's, the media created a front page headline, guaranteed to sell newspapers: the Black Liberation Army. According to them, the B.L.A. was everywhere. Almost every other thing that happened was attributed to the Black Liberation Army. Headlines that are sensational sell newspapers. The media shapes public opinion and the results of that are often tragic.

Before you were sworn as jurors you were asked about your knowledge of the B.L.A. Most of you stated that you had no knowledge of what the Black Liberation Army was or what it stands for. However, most of you did say that you believed the Black Liberation Army was a "militant" organization. I would like to talk to you about that for a moment. The Black Liberation Army is not an organization. It goes beyond that. It is a concept, a people's movement, an idea. Many different people have said and done many different things in the name of the Black Liberation Army.

REPRESSION BREEDS RESISTANCE

The idea of a Black Liberation Army emerged from conditions in Black communities. Conditions of poverty, indecent housing, massive unemployment, poor medical care and inferior education. The idea came about because Black People are not free or equal in this country. Because 90% of the men and women in this country's prisons are Black and Third World. Because 10 year old children are shot down in our streets. Because dope has saturated our communities preying on the disillusionment and frustration of our children. The concept of the B.L.A. arose because of the political, social and economic oppression of Black people in this country. And where there is oppression there will be resistance. The B.L.A. is a part of that resistance movement. The Black Liberation Army stands for freedom and justice for all people.

While big corporations make huge tax-free profits, taxes for the everyday working people skyrocket. While politicians take free trips around the world, those same politicians increase their salaries, millions of people are being laid off. This city is on the brink of bankruptcy and yet hundreds of thousands of dollars are being spent on this trial. I do not understand a government so willing to spend millions of dollars on arms, to explore outer space, even the planet Jupiter, and at the same time close down day care centers and fire stations.

I have read the Declaration of Independence and I have great admiration for this statement:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit

of happiness. That to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the Right of the People to alter or abolish it and to institute New Government, laying its foundations on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

These words are especially meaningful in the year of this country's bi-centennial. I would like to help make this a better world for my daughter and for all the children of this world: for all the men and women of this world.

But you understand that the B.L.A. is not on trial here. I am on trial here. Ronald Myers is on trial here. And the charge is kidnapping and armed robbery, where the so-called victim is a drug-pusher, a seller of heroin, a man called James Freeman.

THE VICTIMS OF HEROIN

We live in New York, and it is impossible not to see the horror, the degradation and the pain associated with heroin addiction. Most of you have seen the staggering numbers of young lives sucked into oblivion, into walking deaths by the use of drugs. Many of you have seen helpless mothers watch their children turn into nodding skeletons, whom they can no longer trust. And seen the dreams, the potential of a whole generation of youngsters drain away, down into the bottomless pit of a needle. And these victims also have their victims, the countless number of people who have been mugged, burglarized and robbed, by drug-made vampires, who care nothing about anything but their poison.

We will show you that James Freeman is a liar. We will show you that the other prosecution witnesses are all friends, relatives, lovers or employees of James Freeman, and that they are liars. You will see for yourselves that they have conspired and that they have been coached.

Men and women of the jury, human lives are serious matters. I have already told you that I have no faith in this system of justice and believe me, I don't. I have seen too much. If there was such a thing as justice, I wouldn't be here talking to you now. You have been chosen to be the representatives of justice. You and you alone. You have said that you have no prejudices or pre-conceptions. You have said that you could try this case on the basis of the evidence. What I am saying now is not evidence. What the prosecutor says is not evidence. You may or you may not agree with my political beliefs. They are not on trial here. I have only brought them up to help you understand the political and emotional context in which this case comes before you.

Although the court considers us peers, many of you have had different backgrounds and different learning and life experiences. It is important to me that you understand some of these differences. I only ask of you that you listen carefully. I only ask that you listen not only to what these witnesses say, but to how they say it.

Our lives are no more precious or no less precious than yours. We ask only that you be as open and as fair as you would want us to be, were we sitting in the jury box determining your guilt or innocence. Our lives and the lives that surround us depend on your fairness.

Thank You.